# LAW ENFORCEMENT NEWS

#### What They Are Saying:

"The little LEAA grants were the tails that wagged the dog."

Norma Sue Wolfe of New York's Division of Criminal Justice Services, commenting on the impact of the defunct Federal agency. (Page 8:3)

Vol. VIII, No. 8

ISSN 0364-1724

April 26, 1982

## After 14 years and \$8 billion, LEAA finally calls it a career

Most people called it by its initals L-E-A-A. Others developed a folksy acronym, calling it "Leah." The Carter Administration called it too unwieldy and mixed its name into an alphabet soup of OJARS/N1J/BJS/LEAA. Soon there will be no confusion — everyone will call it dead.

What remains of the once mighty Law Entercement Assistance Administration is scheduled to take its final breath on the last day of this month. But LEAA's legacy will live on, in the form of \$225 million in yet-to-be-spent grant money and a string of state criminal justice funding agencies that own their existence to the now defunct Federal grantmaster.

LEAA's official swan song was sung on March 31 by Associate Deputy Attorney General Stanley Morris, who testified before the House Education and Labor subcommittee on human resources. Morris's testimony was to center on the shutdown of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), an LEAA offspring, but it turned out to be a wideranging overview of the 14-year history of the mother agency and a synopsis of its short future.

Morris cited the Carter Administration's move in May 1980 to begin the phaseout of LEAA and its progeny. "All of our planning and the actions taken thus far have been based on certain fundamental principles," the Justice Department official said. "First, that LEAA programs must be closed out in an orderly and responsible way that assures proper accountability for public funds. Second, the continuing JSIA (Justice System Inprovement Act) program activities must be given sufficient support to function effectively."

Getting to specifics, Morris noted that since the shutdown began, about 1,600 grants and contracts have been terminated and that the staffs at LEAA and OJARS have been cut by 40 percent.

Those staffers who remain have their work cut out for them. As of the first quarter of fiscal year 1982, almost 1,000 LEAA block and discretionary grants were still functioning, projects which require Federal monitoring and eventual shutdown. The money involved amounts to \$180 million in block funds and \$45 million in categorical grants.

"Although no new awards will be made by LEAA, grants monitoring and close-Continued on Page 8

## Citizen delays in reporting crime seen hampering police response

Police forces trying to reduce their response time to most citizen calls reporting serious crime are wasting their time—that is the gist of a recent four-city study that has concluded that rapid police response may be unnecessary in three out of four such situations.

Instead of expending resources to speed to the scene of every serious offense, the study suggested, law enforcers would do better to set priorities, ranking calls for assistance based on their chances of producing an "on-the-scene" arrest

#### Kansas City Recalled

If the caveats sound familiar, they should. The new study, conducted by the Police Executive Research Forum under a half-million dollar grant from the National Institute of Justice, echoed on a national scale the findings of a 1977 Kansas City research project.

The older study had concluded that the average citizen waits so long to report a crime that police have little chance to make an arrest at the scene no matter how quickly they respond. The Kansas City findings were for the most part ignored by police administrators throughout the nation, who contended that the results were unique to that city.

PERF's report on its research, entitled "Calling the Police: Citizen Reporting of Serious Crime," could go a long way toward countering that skepticism. The three-year study is based on interviews with over 4,000 victims, witnesses and bystanders in about 3,300 serious crimes committed in Jacksonville, Fla., Peoria, Ill., Rochester, N.Y., and San Diego.

"These cities were selected because of their differences," the report noted. "Each represented a singular mix of population, regional and police agency characteristics. Nonetheless, the outcomes from city to city were almost identical, which would tend to indicate that the findings apply to other cities across the nation."

The "identical" findings may change the minds of police executives who believe in the half-century-old tradition of racing to crime scenes. In all the cities studied, arrests that could be attributed to rapid police response were made in only 2.9 percent of reported serious crimes.

#### "Discovery" Means No Recovery

Analyzing the reason for the low success rate, PERF noted that about 75 percent of all serious crimes are "discovery" offenses — they are discovered and reported by citizens after they have been completed, giving offenders adequate time to make a clean getaway. As a result, the report said, police response time has no bearing on capturing the perpetrators of such offenses.

"This common sense conclusion is verified by previous research and is confirmed by the results of this study." the report said. "Therefore, in only about 25 percent of all reported serious crime, namely those that are not discovery crimes but rather are involvement crimes, can fast response make a difference."

But even in "involvement" offenses police are handcuffed by slow citizen reporting. The PERF researchers discovered that the average reporting time for such crimes ranged between four and five-and-a-half minutes.

"When citizens delay even a few minutes, the suspect has usually left the crime scene and no on-scene arrest is likely," the report pointed out. "This was found to be true in each of the four cities studied"

Even when a crime is reported while still in progress, as happened in 13 percent of the cases studied, chances for a response-related arrest were only 35 percent. That figure dropped to 18 percent when a crime was reported within a few seconds; 10 percent, if reported after one minute, and 7 percent, if reported between one and five minutes.

"When citizens delayed for a full five minutes, they might as well have delayed Continued on Page 12

Jumping into the police computer pool:

### Developing a data-processing capability

By BILL CADY

During the initial stages of the Integrated Criminal Apprehension Program, the focus on information processing was entirely manual. As has been discussed in earlier articles in the series, all of the ICAP cities encountered signifi-

#### THE ICAP STORY

Tenth article in a series

cant problems with providing timely, useful and accurate information to support the problem-oriented focus of ICAP. The temptation to buy a computer to solve these problems was a strong one arease of the belief by many in policing that automation was in fact the solution to all of our informational problems.

This temptation was successfully resisted in most cases because of the insistence by ICAP project managers at the Law Enforcement Assistance Administration that all equipment purchases be completely justified. In addition, some of the ICAP cities already had automated systems that did not solve all thier informational problems, and through cluster meetings and resourcesharing among ICAP cities, the emphasis on the development of good

COMPUTER FUNCTIONS

COLLECTION OF EVENT DATA

(CALLS AND REPORTS)

GRACETION OF EVENT DATA

EVENT OFFICE ACCURATION

COLLECTION OF AMERICA CONTINUES

COLLECTION OF COLLISION DATA

COLLECTION OF NO FACTORS

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manual records and crime analysis systems was maintained. This approach gave the departments involved ample time to improve their source documents, identify informational needs and experiment without making major expenditures on data processing. By slowing the rush to jump into automated systems, ICAP cities have been able to make significant contributions to the understanding of how one should approach the automation of police information systems and in the development of

application software. These contributions are discussed in greater detail below, as is the system that was implemented in Oxnard, Calif.

Development Guidelines

Prior to using grant funds, ICAP departments had to justify the need for automating information, as well as specifying those needs. In addition, an analysis of each city's information processing needs was conducted by Search Group Inc. As several cities progressed Continued on Page 9

### ...NewsBriefs...NewsBriefs...NewsBriefs...

#### St. Louis sings the blues as crime grows, force shrinks

St. Louis may be ranked as the numbertwo crime city in America (see story, page 3), but you wouldn't know it from the incredible shrinking act that is being performed by ita police department. The St. Louis force has lost 142 officers to attrition in the last 26 months, and now the city's Police Board is considering further cuts.

Earlier this month, Police Board president Homer Sayad told the St. Louis Post-Dispatch that the board's decision as to how many officers the city needs for adequate citizen protection would be based on an ongoing study of the police department.

If Sayad sticks to his game plan, the city might not lose that many additional officers, since the study is being conducted internally by an active St. Louis police executive, Lieut, Col. William

This Periodical is Indexed in

The Criminal Justice Periodical Index



#### University Microfilms International

 Brown. The colonel's report is due to be turned over to the board this summer, Sayad said.

But there are other factors involved than those that the police force might believe are important. The Police Board president noted that the panel is trying to live within its means. "We are aware of the city's financial problems," he remarked. "But we want to provide the best police protection for the community."

That community has been cut in half over the last 30 years. St. Louis reached its peak population in 1950, when 800,000 people resided within its city limits. Now, Sayad stoted, only about 400,000 call St. Louis home.

Meanwhile, the state legislature has been toying with police manpower authorization levels, in an attempt to match the force's size to that of the city. In the mid-1970's, it targeted the department's strength at 2.230 commissioned officers and later reduced the number to 2,100.

At last count, the force was down to a complement of 1,842 due to planned attrition, achieved by not filling posts which were opened through retirements. Sayad said the resulting manpower cuts have been scattered throughout the agency.

#### Florida drug crackdown forces price drop in pot and coke

Efforts to crack down on marijuana and cocaine smuggling in Southern Florida have sent the price of the two substances tumbling in Colombia, the head on the Vice Presidential Task Force on South Florida Crime told Miami officals early this month.

Admiral Daniel Murphy, chief of staff for Vice President George Bush, reported during his third recent visit to Miami that the amount of marijuana and cocaine being smuggled into south Florida has been drastically reduced, according to the Associated Press.

"There's a little bit coming in, but compared to the flow that we faced a while back, it's down to a trickle, AP quoted Murphy as saying.

While Murphy congratulated law enforcement officals in the Miami area, he warned that Federal agencies must not become lax. He said drug smugglers will hold onto their cargos until they see a relaxation of enforcement.

"There's a big squeeze on those that are making a living out of this drug business. We don't know how long they can hold back." he said.

#### OJJDP hands out \$2 million for high-risk-youth programs

Thirteen youth programs throughout the country have received grant awards totalling \$2 million for work in identifying and helping juveniles who are in danger of getting into trouble with law enforcement agencies.

The awards, announced by Charles A. Lauer, acting director of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), are part of a program for high-risk youths supported by Act Together, a national nonprofit corporation formed to help local organizations provide comprehensive juvenile assistance services. They are designed to help local and state organizations put together programs to augment traditional education, employment and other service efforts.

"Local organizations have found it to be quite difficult to put together programs that contain all the necessary elements to operate sophisticated, multiservice projects," Lauer said. "We believe Act Together is the most effective vehicle for remedying this situation."

The 13 youth programs receiving grants were selected from 500 applicants. Those due to get the awards were the Colorado Outward Bound School in Denver; the Neighborhood Youth Association Inc., in Los Angeles; New Life Services Inc., in Cincinnati; the University of Minnesota Day Community in Minneapolis; the Lexington-Fayette Urban County Government's Division of Children's Services in Lexington, Ky., and the Alabama Department of Youth Services in Mt. Meigs.

Also, the Shelter's Project Start in Seattle; the Youth Action Program in East Harlem, New York; the Three Rivers Youth Program in Pitts burgh; the Henry Street Settlement in New York; the National Medical Association Foundation Plan in Washington, D.C.; Dispensario San Antonio in Ponce, Puerto Rico; and The Bridge in Boston.

#### CHP enacts physical standards despite union objections

The California Highway Patrol has given its 5,000 officers a mandate: Shape up.

The CHP last month established manadatory physical performance standards, thus becoming the first law enforcement agency to enact a mandatory program, according to Commissioner Glen Craig. The commissioner said the program is designed to increase officers' productivity and reduce disability, injuries and illness.

Under the program, the patrol will test officers every six months in such areas as running, body strength and body fat. Officers who do not meet the standards will be given six months for remedial conditioning and tested again.

"We've had a voluntary physical maintenance program for the past two years which helped our officers' back injury problems, and improve their cardiovascular fitness," Commissioner Craig said. "But there are still about 30 percent of our personnel who have not achieved minimum fitness levels."

Craig stressed that no sanctions will be imposed against officers during the program's first six months.

The California Association of Highway Patrolmen, the labor union representing CHP traffic officers, has opposed starting the program at this time, Craig said.

#### New publisher gives security journal fresh lease on life

London House Press has taken over publication of the Journal of Security Administration, the only scholarly publication in the field of private security.

The publisher, a division of London House Management Consultants Inc., will take over the publication of the official journal of the Academy of Security Educators and Trainers with the June edition.

London House Press plans to change the journal's format and will handle production, circulation and subscriptions, according to Dr. William Terris, the director of psychological services for London House. It will also accept paid advertising in the journal.

The publication, founded in 1977 by Dr. Norman Bottom, a professor of criminology at Indiana University of Pennsylvania, has not had the financial resources for professional print production for the last five years. Bottom will continue as editor under the London House Press management.

#### What's On Your Mind?

Law Enforcement News cares about what its readers think. If you've got something to say about the hot issues of the day, let LEN be your soapbox. Your opinions will reach those who count.

#### LAW ENFORCEMENT NEWS

Law Enforcement News is published twice monthly (once monthly during July and August) by L.E.N. Inc. in cooperation with the Criminal Justice Center of John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019. Subscription rates:

\$14.00 per year (22 issues). Advertising rates available upon request. Telephone: (212) 489-3592, 3516.

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## Crime levels off, but Webster says 'keep guard up'

The timing couldn't have been better for the Justice Department. No sooner did the agency announce that LEAA was shutting its doors for good then the FBI released its Uniform Crime Reports for 1981, spotlighting a nationwide stabilization in serious criminal offenses.

Perhaps aware of the coincidental juxtaposition of the two events, FBI Director William H. Webster issued a stern warning along with his bureau's zerogrowth-rate crime review, noting that the flat crime curve "should not encourage the nation to diminish concern over crime in this country."

The statistics bear out Webster's admonition against complacency. Although the 1981 FBI figures herald the first leveling off in U.S. crime in five years, they are based on a comparison with offenses in 1980 — a year when crime reached an all-time high, with an estimated 13.3 million serious offenses

## Habeas corpus rights curbed for prisoners

Convicted offenders and their legal representatives are going to have a tougher time bringing their habeas corpus petitions before Federal appellate courts, as a result of a recent Supreme Court decision which upheld guilty verdicts in four such cases.

Emphasizing its intent to limit seemingly endless challenges to criminal convictions, the Court indicated that obstacles to the repeated use of habeas corpus writs were necessary to assure "finality" of punishment in the criminal justice system and to get the Federal courts off the backs of state judiciaries.

The 6-to-3 ruling was handed down on April 6 in the cases of three of the defendants who had unsuccessfully challenged their convictions in Ohio state courts, citing flaws in their trials. The Supreme Court stated that since they had not raised these objections at the time of their trials, the defendants lost their right to raise them at the Federal level.

The fourth case involved a defendant who was convicted of a brutal murder in Washington, D.C. He had spent nearly two decades filing habeas corpus petitions, resulting in his release in 1981. He is now scheduled to return to prison.

Justice Sandra D. O'Connor provided the rationale of the Court's decision in the majority opinion. "The writ of habeas corpus indisputably holds an honored position" in the American legal tradition, she stated, but it "entails significant costs," extending "the ordeal of trial for both society and the accused" and undermining "the usual principles of finality of litigation."

Connor pointed to situations where titles corpus petitions are filed years after the commission of the crime—long after witnesses have died or their memories of the offense have faded. Such situations "may reward the accused with complete freedom from prosecution," she

The Justice also struck a blow for states' rights. "Finally, the Great Writ imposes special costs on our Federal system. The state possess primary authority for defining and enforcing the criminal law. . Federal intrusions into state criminal trials frustrate both the Continued on Page 8

Still, the new statistics gave the statistican law miorcement communication law miorcement communications are designed to be cheerful about moved it is performing. The murder rate dropped three percent, aggravated assault was down two percent, forcible rapes declined one percent, motor vehicle thefts stalled by four percent, burglaries tapered off one percent, and arson dropped by eight percent.

Only the index offenses of robbery and larceny-theft prevented 1981 from being a year of across-the-board crime decline. Robberies were reported to have increased by five percent, while the larceny-theft rate remained even.

In a geographic analysis of the crime trends, the FBI stated that the South suffered a one percent increase in serious crime, the Northeast and West maintained their 1980 levels and the North Central States scored a one percent decline.

The regional breakout of the crime stats seems to support the theory of Dr. James Fyfe, a criminologist at American University, who told the Associated Press that unusually cold weather last year had a chilling effect on crime. He pointed out that offense rates ususally

Still, the new statistics gave the aller in direct proportion to the alterior law inforcement coment. The murder rate ell it is performing. The murder rate reduction in the number of crimes reported.

Fyle of tered a second reason for the 1981 crime stabilization — the graying of America. He said crimes are committed disproportionately by young people, noting that the percentage of youth in America is declining as the so-called baby boom population enters middle age.

The FB1 also had a slant on crime and population. It said cities with over 50,000 residents rang up a collective one percent increase in serious crime last year, while suburban and rural areas showed offenserate drops of one percent each.

Police in the nation's largest city took the Bureau's statistics one step further, using the data to compile a per-capita crime ranking of the nation's 25 biggest urban centers.

Boston came out on top of the New York City Police Department's list, with 14.146 crimes for every 100,000 residents. St. Louis ranked second, with a 13,828.5 rating; Dallas was third, at 12.342.4; Denver fourth, 12,294.9, and Detroit fifth, 11,892.4.

And what of the city that prepared the z5-city ranking? New York often rapped in the media and in popular circles as being the crime capital of the United States, finished 12th, with 10,265 crimes per 100,000 population, improving its runking by three notches compared to laryear's ninth place finish

In 1980, St. Louis achieved the dubious honor of topping the NYCPD/FBI list, and Boston didn't even make the top 25. Sgt. William E. Gusa of the NYCPD's Crime Analysis Unit explained that Boston was not on the roster last year liecause its crime figures had not been compiled in time.

The remaining cities and their percapita crime scores, according to the NYCPD, were Kausas City, 11,381; Seattle, 11,291.7; Washington, 10,650; Phoenix, 10,637.9; Cleveland, 10,581.8; San Francisco, 10,576.5; Los Angeles, 10,250.2; Baltimore, 9,858.3, and Columbus, 9,839.6;

Also, New Orleans, 9,355.9; San Jose, 8,563.9; Jacksonville, 8,332.4; Memphis, 8,250; San Antonio, 7,898.4; San Dicgo, 7,552.4; Milwaukee, 7,260.9; Philadelphia, 5,958.5; Chicago, 5,767.4, and Indianapolis, 4,836.9.

#### Looking to the Taser:

### Virginia cops spell crime control 'Z-A-P'

Springtime has become stun-time for police in Virginia, as at least six sizable agencies in that state are testing or considering testing a portable electronic weapon capable of momentarily paralyzing a violent suspect.

Known as the Taser — an acronym for the Thomas A. Swift Electric Rifle — the device looks like a flashlight, and its function can be very illuminating to cops faced with a hostile offender.

The stun gun fires a pair of non-lethal darts which remain tethered to the gun by two 15-foot strands of wire. The strands carry a 50,000-volt burst of electricity to the target, temporarily immobilizing the suspect.

Charlottesville Police Chief John DeK.

Bowen's force owns one of the Virginia Tasers. He recently told the Richmond Times-Dispatch that he hopes the stun guns will reduce the number of injuries sustained by hoth police and suspects.

"When someone's berserk and you have to take (him), you can get kicked and bruised and, if (he has) a knife, you could get stabbed," the chief commented, noting that the Taser is "a safer, more effective way to disarm someone."

But Bowen qualified his remarks, noting that the shock weapon is effective only in certain confrontations. "I would not feel comfortable for my officers to go up against a deadly force armed with a Taser," he declared.

Spokesmen for the manufacturers of

the Taser claim that approximately 250 law enforcement agencies throughout the country are using the stungun to subdue suspects who are under the influence of drugs, and in hostage situations where gunfire could be a menace to innocent by standers.

The Los Angeles Police Department probably owns the biggest arsenal of Tasers and has completed the most extensive testing of the weapon. In 1980, it put 224 stun guns on the streets after field-testing two dozen of the weapons in a 90-day trial.

"We used it 27 times in the field and we had five failures," the LAPD's Ken Hillman said of the tests. "The gun is on-Continued on Page 4

## Philly mayor's plan to add 220 minority cops blasted as 'quota system' and 'appeasement'

What makes a quota a quota? That question was left open to debate in Philadelphia last month as Mayor William Green unveiled a hiring plan for the city's police department which he said would result in the employment of 220 extra minority officers in the next five years

The Philadelphia Daily News is calling Green's proposal "a limited quota system." His critics are calling it "affirmative appeasement." But Green has stated flatly that his plan has nothing to do with quotas.

"Race and sex are not standards for this department," the mayor said, "They never should be and they never will be."

Outlining his course of action at a March 19 news conference, Green said the city would seek a court order permitting 220 minority applicants to be hired during the next five years in addition to the ones who would be hired regularly. All of the hiring would be based on test ranking, he added.

In announcing the plan, Green rejected a recommendation of a six-member Task

Force on Minority Employment in the Police Department that he had appointed in January. That panel proposed the implementation of a pass-fail system under which recruits would be selected at random from all those who passed the police exam without regard to their scores.

Turning his back on the panel's suggestions, the mayor said, "It doesn't make sense to me to compare a 99 (test score) with a 70."

Green emphasized that "merit" would he the basis behind his plan, careful to point out that no quotas would be involved. A quota system like the task force's proposed pass-fail system would be illegal under the City Charter, he noted

Philadelphia's problems with minority police hiring have been weighing on the city's psyche for almost a decade. A 1973 Federal suit, in which black police applicants had charged discrimination, led to a court order for changes in the police department's recruit-testing system.

Green said the city would now seek to alter the consent decree agreed upon in

that case to permit the hiring of 220 more minority applicants, the number he estimates were rejected for racial reasons beween 1967 and 1971, the period during which the suit alleged discrimination.

The Green plan was colored from a different perspective by U.S. Representative William H. Gray 111, a former ally who has split with Green on the issue. Gray told the Philadelphia Daily News that Green's announcement was "a tragic statement with significant contradictions and inconsistencies," describing the proposed system as "affirmative appeasement."

mative appeasement."

Accusing Green of doing a political turnaround, Gray said that the mayor had previously claimed that it would be illegal under the city's Home Rule Charter to select police cadets on any basis other than strict rank on the Civil

City Hall sources told the Philadelphia Inquirer that the city force has had a minority-hiring rate of 17 percent over the last few years. Black officers current-Continued on Page 12

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#### People & Places

#### One cop's battle for PAL nears success

A one-man crusade can be a lonely proposition, especially when it carries on for six years without so much as a glimmer of success. But Jerry Judge, a 34-year-old police officer in Bensalem Township, Pa., knows the meaning of going it alone. The veteran cop boxed professionally for 12 years, and once lost a close six-round decision to current heavyweight champion Larry Holmes, finishing the fight despite a broken jaw Holmes inflicted on him in the first round.

The losing battle Judge fought for six establish a Police Athletic League (PAL) program in Bensalem seemed to be a continuing triumph of frustration over persistence. His superiors said the 65-officer department was too small to handle the program and that cops belonged on the street fighting crime, instead of in a gym working with children.

It was frustrating," Judge said. "My superiors would say it wouldn't work here, and nobody wanted to help. It was harder than being in the ring. You only have one opponent there."

It now appears that Judge will soon get his PAL program. The turnaround came last fall when Richard Viola was appointed police chief in Bensalem. Like Officer Judge, Viola had been involved with PAL programs and was a former boxer.

When Viola, a former Philadelphia cop, arrived in Bensalem, he talked separately with each memher of the police force. When he got to Judge, he was already aware of the officer's one-man effort, and his frustrations.

'I asked him what we had here for the

kids and why there was no PAL," the chief recalled.

Judge confirmed bis boss's recollection. "He told me he was for it, and I was shocked. He said he wanted me to start a PAL program. I almost fell out of my chair. It had been an underground fight on my part before that.

Compared to his progress over the first six years, the last six months have brought a steady string of successes for Jerry Judge and his PAL dream. Donations have been flowing in, and one unidentified businessman in the area offered to give the program four acres of land and erect a \$100,000 building there. And, as one local Chamber of Commerce official observed:

'Judge was a one-man crusade going nowhere, and he was downhearted and ready to quit. He can rest assured a lot of people are hehind him now with a lot of

#### Off and running with Runyon

The Commission on Accreditation for Law Enforcement Agencies brought its membership rolls up to full strength last month with the appointment of Chief Howard L. Runyon Sr. to the commis-

Runyon, who has been chief of the Passiac Township, N.J., Police Department since 1966, is second vice president of the International Association of Chiefs of Police (IACP), one of four organizations participating in the three-year-old effort to develop and implement standards for the nation's law enforcement agencies. Along with IACP, the Na-

#### Part-time policing suits R.I. town just fine

Among the 39 municipalities in the state of Rhode Island, the rural town of Exeter stands alone in its law enforcement philosophy - the town of 4,500 has no police force of its own apart from a part-time elected sergeant, and, according to a recent Associated Press dispatch, the residents of Exeter prefer to keep things that way.

the fourth year in a row, the town council has refused to put before the voters a proposal to allocate money for a police force. The last time the matter was brought up on the ballot, in 1978, voters refused to spend tax money for police of ficers. The five-man council sees that rejection as a mandate.

There's just no need," said council president Gregory G. Allen. "I have never been approached by one person. If there was a need for it, you'd think that at least one person would come forward and

tional Sheriffs' Association, the National Organization of Black Law Enforcement Executives and the Police Executive Research Forum have been drafting the standards for review by the commission.

In announcing Runyon's appointment to the commission, Lee P. Brown, the group's chairman, noted, "(We) look forward to moving ahead aggressively to complete standards for a voluntary accreditation program for law enforcement agenices across the country. spokesman for the 21-menber commission said that the group plans to complete review of the proposed standards at its next meeting later this month.

#### Toot Your Own Horn!

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Allen has estimated that it would cost \$350,000 to establish and equip a town police force. The town manages to save nearly 99.9 percent of that by paying Richard S. Brown \$485 a year as the local part-time sergeant.

Brown, 52, has polica power but his work consists largely of serving summonses and providing security at town meetings. While he receives an occasional call asking him to investigate criminal activity, Brown has instructions from the town council to transfer all such calls to the state police.

Three troopers from a nearby state police barracks routinely patrol the area.

Sgt. Brown, who graduated from a state police training school for municipal workers, has tried twice to organize a volunteer police force in Exeter, only to run into local opposition. Brown dicated that there would not be a third attempt.

I've been through it twice. I definitely wouldn't start another one and I definite ly wouldn't participate in another one. . .even though I'm interested.

#### ACJS adds new veep

The women's movement has caught up with the 1,600-member Academy of Criminal Justice Sciences, which last month took a major step toward having its first female president.

At the organization's annual meeting in Louisville, Ky., Dr. Dorothy H. Bracey, a Harvard-educated anthropologist, was elected second vice president of the criminal justice educators' group. This puts her in line to assume the top spot in the academy in 1984.

Bracey, who is currently chairman of the anthropology department at John Jay College of Criminal Justice in New York, has written books on such diverse topics as police corruption and juvenile prostitution, and is co-editor of Police Studies, an international law enforcement journal.

#### CRIMINAL JUSTICE **EDUCATION**

The End of the Beginning

Richard Pearson, Theodore K. Moran, James C. Berger, Kenneth C. Laudon, Janice R. McKenzie, Thomas J. Bonita III

Criminal Justice Education The End of the Beginning is the result of a fiveyear study of criminal justice education in American colleges and universities. The authors — a faculty planning group at the John Jay College of Criminal Justice - based their findings and conclusions upon 250 questionnaire surveys among respondents in 37 states at 146 institutions, campus visits for interviews at I4 universities, and a content analysis of college catalogs. In addition, an advisory committee appointed by the Academy of Criminal Justice Sciences contributed guidance and suggestions on methodology and, hased on a second questionnaire, confirmed and extended the findings of the authors.

The study examines a sector of postsecondary education that grew intensively during the late 1960's and 1970's when other sectors faced dwindling enrollments, limited budgets and marginal growth. During two decades, the authors found, an early emphasis on vocationalism in criminal justice education was replaced by academic programs developed in the humanities, the social and behavioral sciences, and professional subjects. They examine a professoriate that strongly emphasized practical experience but later developed traditional academic credentials. They describe new and distinctive ways that were developed to teach non-traditional students, including mid-career police officers and other criminal justice practitioners

The authors conclude that criminal justice education has, during only two decades, become an established, vital part of the educational curricula in America colleges and universities. They also attempt to define some of the current and future problems for educators, including the need for scholarship and research, the tension between general liberal arts studies and professional studies in law enforcement and criminal justice, vague educational objectives which need clarification, and the quality of criminal justice education.

Criminal Justice Education will be of interest to criminal justice educators at college and universities and to law enforcement executives and practitioners who are concerned with the development of their field. For educators generally, this book provides evidence that postsecondary education has not lost its capacity for innovation and growth.

ISBN: 0-89444-030-6

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#### Virginia PD's to experiment with 50,000 volts of crime prevention

Continued from Page 3

ly effective if you're in a range of 8-to-15 feet. If you're past 15 feet, the darts spread too far and usually you only hit the guy with one dart. If you're closer than eight feet, the dart spread is too close, and you don't get the full incapacitating effect from the volts of elecricity that go into the suspect.

If tests in Virginia go as smoothly as the ones in Los Angeles have, five major departments, in addition to Charlottesville, . ill be arming at least some of their officers with Tasers. Wayne Clark, the Alexandria-based East Coast Taser distributor, told the Times-Dispatch that agencies in Fairfax and Prince George Counties recently purchased several of the units, and that the Richmond, Norfolk and Virginia Beach forces are trying to budget funds for the guns. The devices retail for about \$270 each.

Police are not going to be the only people who own Tasers in Virginia. Earlier this month Clark sent 10,000 fliers to homeowners in the Fairfax area, trumpeting the Taser as a personal protective

'The Taser is for the person out there who needs protection but doesn't want a gun," Clark said. He noted that one of his

most recent customers was a minister 'who works in a high-crime area" and who bought one because "his donation box keeps getting robbed, but he doesn't want to hurt anybody.

The distributor claims that massmarketing Tasers is rough sledding because so few people are aware of its ex istence. However, a Federal regulation which classifies the device as a firearm, might have more to do with the consumer resistance than any other marketing bar-

Police are the primary purchasers of the 4,000 Tasers that have been sold nationwide since the gun's introduction ten years ago.

Clark himself is no stranger to law enforcement, having demonstrated the gun at countless police conferences. "I usually give a guy \$50 to \$100 to let me shoot him," he said. "I give the minimum shock I can, but I never have gotten a guy to volunteer twice.

Charlottesville Police Chief Bowen was taken by the humanitarian function of the gun. "When you look at the statistics of the number of people accidentally killed with guns, the Taser could eliminate those accidents altogether," he

## SUPREME COURT BRIEFS

By AVERY ELI OKIN



When former Associate Justice Abe Fortas ap peared before the United States Supreme Court late last month to deliver an oral argument before a packed courtroom.

few there thought that they would be witnessing the last major appearance of the legal giant. On April 5, the 71 yearold active legal practitioner died in his Washington home.

Last month in a brief interview, Fortas had told reporters that he had planned to keep on practicing law "until my clients retire me or the Lord retires me." Unlike so many attorneys who point to oral argument before the Supreme Court as the highlight of a professional career. Fortas took the few minutes at the Court's podium and the three questions from the Justices very much in stride. He stoo before the Court as a former member of "The Brethren" and as a Washington practitioner for almost five decades whose place in the Supreme Court's history was already assured.

Abe Fortas had traveled a long and sometimes tumultuous path back to the Supreme Court last month, Born on June 19, 1910, in Memphis, he was the youngest of five children. His father, an Orthodox Jew who had immigrated from England, made his living as a cabinet-maker. Though of humble means, young Fortas was provided with violin lessons. As in so many areas. Abe Fortas became proficient at the violin and was able to earn money for college by playing at

After attending the local public schools in Memphis, Fortas received a degree from Southwestern College in 1930.

From there he headed to Yale Law School, where he graduated with the double honor of being first in the Class of 1933 and the editor-in-chief of the Yale Law Journal.

Having achieved academic success at Yale, it was inevitable that William O. Douglas, who was at that time teaching at Yale, would become his mentor. Douglas arranged for an assistant professorship for Fortas at Yale. While teaching there from 1933-37, Fortas assisted Douglas, who had become chairman of the Securities and Exchange Commission in Washington.

Fortas left Yale in 1937 to work in the Roosevelt Administration. He served as general counsel to the Public Works Administration and later as Under Secretary of the Interior.

In 1946, he became a founding partner in the law firm of Arnold, Fortas & Porter. Thurman Arnold, the principal in the firm, had served as the head of the Antitrust Division at the Justice Department. He and Fortas attracted the largest corporations in the country as

In 1948, Lyndon B. Johnson had won the Democratic nomination for Senator from Texas by a very small margin. An opponent of Johnson had managed to get the future President's name removed from the ballot. Johnson turned to Fortas for legal help. Fortas pursuaded Supreme Court Justice Hugo L. Black, who had supervisory authority over the Texas courts, to reinstate Johnson's name.

While in private practice, Fortas made quite a name for himself. The Supreme Court selected Fortas in 1962 to handle the appeal of the indigent prisoner Clarence Earl Gideon. After preparing extensively for several months, Fortas produced a brief and did the oral argument before the Court. In that case Gideon v. Wainright, Fortas convinced

the Court that the Constitution requires the states to assure free legal counsel for indigent defendants in serious criminal

In 1965, President Johnson created an opening on the Supreme Court by persuading Justice Arthur Goldberg to resign and take the position of United States ambassador to the United Nations. Those close to President Johnson say that he summoned Fortas to the Oval Office and told him "I'm sending 50,000 boys to Vietnam and I'm sending you to the Supreme Court.'

While on the Court, Associate Justice Fortas wrote the landmark In re Gault decision, which established that children facing court proceedings were entitled to due process safeguards enjoyed by adult persons who stood accused of crimes.

In 1968 Chief Justice Earl Warren told President Johnson that he wanted to retire from the Court. Upon receipt of this news. President Johnson sent Abe Fortas's name to the Senate as his choice for Chief Justice. Justice Fortas, who was the last person to occupy the Supreme Court's "Jewish seat," was the only Jew ever to be nominated as Chief Justice. However, Justice Fortas's role on the Warren Court, partisan politics and perhaps some latent antisemitism eventually culminated in a Senate filibuster designed to block the nomination. On October 2, 1968, Fortas asked that his name be removed from consideration to end what he termed the 'destructive and extreme assaults upon the Court.

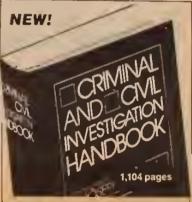
Just seven months later, Justice Fortas was to undergo a personal crisis with historic ramifications. When Fortas left private practice he had taken a pay cut of about \$160,000 dollars a year. reduction of income may have been a critical factor when, in 1966, Justice Fortas accepted a \$20,000 fee from the

Wolfson family foundation which was to be the initial yearly payment of a fee to run for the rest of his life, and the life of his wife.

Shortly after accepting the \$20,000, Wolfson was indicted on stock fraud charges. Following the indictment Justice Fortas returned the \$20,000 and cancelled his arrangement with the foundation.

Three years later Life magazine reported the details of the arrangement and noted that Wolfson had been convicted and was in prison. There were immediate cries in Congress for Justice Fortas's impeachment despite his insistence that he had done nothing improper. Ten days after the story broke, and three and a half years after he went onto the Court, Justice Fortas resigned. In his letter of

Continued on Page 13



#### Edited by Joseph J. Grau

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Getting tough on California crime:

#### Prop. 13's creator tackles the courts

The state that brought you Proposition 13 has got another number up its sleeve a referendum which promises an extensive overhaul of California's criminal justice system. It's Proposition 8, dubbed the "Victims' Bill of Rights" by its sponsors but cited by critics as holding the potential for judicial chaos.

According to the Associated Press, the two intiatives have much in common. They were both co-sponsored by real estate executive Paul Gann and they are both the subject of heated controversy.

Proposition 8 was challenged in a recent legal action as being too complex for

ters to understand. But last month the alifornia Supreme Court placed it on the June 8 ballot, deferring judgment on its complexity until after the election. At issue is a state constitutional requirement that a ballot initiative cover only

The proposal is sweeping in its reforms. Among its 12 provisions are measures which would:

Allow judges to hold defendants in murder cases without bail;

Narrow the insanity defense;
Limit ples bargaining in cases involving serious crime;

¶ Permit victims to speak their minds

at sentencing and parole hearings;

¶ Provide a substantial increase in sentences for repeat offenders.

Gann, who co-sponsored Proposition 13 with the more flamboyant Howard Jarvis, commented on the intent of Proposition 8 to an Associated Press reporter. 'They're arresting the same people over and over because they're being turned loose...by the courts in plea hargaining," he said. "People are so upset at crime and the lack of control over crime.

The primary issue considered by the referendum is the exclusionary rule, which hans the use of evidence obtained via searches or confessions deemed to be illegal. California courts have tended to side with defendants in interpreting the rule, bucking a national trend to limit its

Gann's initiative would set down limits the exclusionary rule in black-andwhite. For instance, one provision would endorse as admissible all "relevant" evidence obtained in police searches, whether the investigations were deemed legal or not.

Critics are bristling at the "relevant" evidence clause, contending that it would admit evidence from searches that would be barred by Federal courts

But Proposition 8's proponents seem to welcome such statements. One of the measure's authors, former prosecutor George Nicholson, said that passage of the initiative could set the judicial stage for the U.S. Supreme Court to reconsider the entire exclusionary rule.

Another proposal that has opponents up in arms is one which would eliminate the automatic right to bail. It would require that public safety be the first consideration in setting suspects free before their court appearances, a move that could repeal the bail schedules that currently govern the release of more than a million persons arrested each year.

Critics claim that under the provision a judge would be required to be stationed at every police jail in California to set bail and state reasons for each release.

Despite the intensity of the public debate, knowledgeable observers foresee voter acceptance of the get-tough measure. But whether or not the itiative will survive its scheduled judicial review is a matter that is very much up in the air. The California Supreme Court, which will examine the constitutionality of Proposition 8 if it is approved by voters, is seen as one of the chief targets of the measure's reform provisions.

#### Reconciling the free press/fair trial dilemma

The cry of our founding fathers for freedom of expression has been transformed by today's society into the people's right to know." Americans believe that democracy necessitates a citizen's knowledge of government af-

THE CJ MONITOR

By SLOAN T. LETMAN and HERBERT SCOTT JR.

fairs. If the people are accurately informed about the actions - or lack of action — of public officials and agencies, a check is maintained on the government and, occasionally, abuse of public power

Yet, how do people acquire such knowledge? In the main, newspapers and

television provide this education of the public. In essence, the people's right to know hinges upon the extent to which the media are allowed the guarantees of the First Amendment, Through reporters, writers, researchers and editors, Americans learn of corruption within the political system. But certainly a citizen cannot expect access to all government records and knowledge of all government activities. Secrecy is often essential con-cerning matters of national security or in the apprehension of a criminal.

A contemporary issue in this area is the free-press-versus-fair-trial controversy a dilemma which has long plagued our judicial system. When does freedom of expression end and the right to a fair trial begin? Is one right inferior to the other,

or are they equal and just irreconcilable?

Both the rights of free speech/free press and a fair trial are fundamentally important in the U.S. Constitution. According to the Washington Post's executive editor, Benjamin C. Bradlee, "Journalists like to believe that it is no accident that the First Amendment comes first, that the right to know depends on the free press." Yet, the fact that the right to free expression precedes the right to a fair trial in the Bill of Rights does not sufficiently demonstrate superiority of one over the other. Rather, the Constitution's very nature is one of ambiguity. Basic freedoms are set forth without clear rules as to what exactly each right entails and how such privileges shall be upheld. In fact, the

genius of the American Constitution and the Bill of Rights lies in adaptability. Their vagueness accounts for the flexibility and durability of American democracy.

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At the same time, the indefinite, interpretative character of the Constitution and its first ten amendments promotes conflict and debate. As stated by the Supreme Court Justice Potter Stewart in regard to the media and the courts dispute, "The Constitution ... establishes the contest, not the resolution.

Various views must be examined in order to understand the issue of free expression versus fair trial. Not only are journalists and judges involved, but lawyers, police, public officials, jurists and defendants themselves are all ultimately concerned with this overlapping of rights. The main arguments are between the media people and the judiciary. While the newspaper and television writers believe that they have responsibility to inform the people, judges likewise believe that they have a duty to protect defendants against a biased jury. Gag orders imposed by judges illustrate one attempt at handling the problem. In the last decade, according to U.S. News and World Report, there have been at least 213 case which courts limited the power of the press either directly or indirectly.

The media have responded to the attack on their freedom, or responsibility, in several fashions. Undoubtedly, the most common protest concerns the unavailability of proof that newspapers and television do, indeed, prejudice the jury. In addition, some argue that only a small number of bizarre cases result in extensive news coverage, since the preponderance of criminal cases never reach juries and are resolved by guilty. pleas. Dissemination of information likely to prejudice a fair and public trial cannot be blamed solely on the media. As Alfred Friendly, author of "Fair Trial vs. Free Press," stated:

'We cannot proceed on the assumption that there is a perfect system of justice operating, pure, efficient, uncorrupted, and uncorruptible, and that into this Valhalla has come the evil, venomous influence of the mendacious and moneyseeking press. The poisoning of the wellsprings of justice in most cases. . .is done by the police and the courts through statements to the press by the arresting officers, by the prosecuting attorney, by the hangers-on and henchmen of the

If Friendly is correct, then on whom

should restrictions of freedom be placed? Canon Twenty of the American Bar Association's Canons of Ethics warns lawyers against making statements that would influence court proceedings and jeopardize a fair trial. Because attorneys need a license to practice, a violation of Canon Twenty could result in disbarment. But to what extent is the standard enforced? Friendly asserts that disbarments have happened in the face of exactly what we have been complaining about here — the Niagara of prejudicial information that lawyers routinely utter whenever there is a criminal trial." In 1966, a study was conducted by Justice Reardon of the Massachusetts Supreme Judicial Court on pretrial publicity. His research resulted in a set of directives for attorneys and law officers - not journalists - prohibiting the revelation of any knowledge or opinion, not excluding references to defendants' previous

Continued on Page 8

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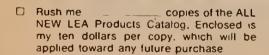


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#### NY cops train to handle gun-grabbing offenders

When criminals in Western New York start singing "I Wanna Hold Your Hand(gun)" to police officers, the gungrabbers may face a return chorus of "I Fought the Law and the Law Won," thanks to a revolver retention course that is scheduled to be offered by the Cheektowaga Police Department.

Originally designed by the Kansas City, Mo., police and the FBI, the training program was upgraded last September by Cheektowaga Officers Frederick Roll and Gary Edenhofer. Since then, over 230 lawmen from area police departments, including Cheektowaga's complement of 140, have taken the class, which focuses on what a patrolman should do if somebody tries to take his weapon.

The need for such special training becomes apparent in light of the interdepartmental attention the course has attracted. Lieut. Bruce Chamberlin, Cheektowaga's training officer, told the Buffalo News earlier this month that his force has received inquiries about the class from police agencies throughout Western New York and that the force is planning to meet the requests with local classes.

Chamberlin indicated that the course goes a long way in filling a dangerous gap in a police officer's skills. "Police departments do a lot of training on firearms," he said, "but that doesn't do you any good if you're not the one with the gun."

The Cheektowaga force itself has been relatively lucky on that score. It has been

more than five years since one of its officers has been fatally shot with his own gun. But Chamberlin doesn't want that luck to run out.

"It does happen and most (officers) have faced a situation in which it did happen or could have," he pointed out. "It's a fear many officers have."

Cheektowaga patrollers can walk with a little less fear as a result of their taking the three-hour course, which teaches "automatic responses" to three distinct situations.

According to Chamberlin, the training instructs an officer how to:

¶ Keep a suspect from taking the officer's gun when he is holding it on the suspect;

¶ Keep his gun in its holster and protect it during an attack;

¶ Retrieve his gun from a suspect who has grabbed it.

Five training manuals and a series of physical demonstrations detail the various movements an officer should make. Most of the techniques involve applying pressure to a suspect's body joints, actions designed to thwart an attack or force a suspect to drop a gun.

The comprehensive nature of the Cheektowaga course has attracted more than just local interest. Chamherlin said the New York Bureau of Municipal Police, which sets training requirements for the state, has requested details.

"We like it because it's easy to teach and to learn and it does protect the men from something most police officers run into sooner or later," the lieutenant remarked.

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#### Insuring a defendant's rights — without gagging

Continued from Page 6

records and confessions, which may bias jury Stopping the desclosure of detrimental information requires combined efforts and sensible compromises between the media, the legal profession, and police

Law enforcement is the arm of the government dealing with the solution of crimes and the arrest of criminals Unavoidably, police officers are confronted with questions by reporters. The public demands that police officers account for their behavior. Police arc therefore put in a difficult situation whether to answer to the people or remain silent. If they refuse to divulge intermation on the grounds that it could prevent a fair trial, the public's image of the police would inevitably suffer. In spite of this dichotomy between the right to know" and the right to an impartial jury, the Los Angeles Police Department published some regulations on the subject. The policy maintains:

News media shall be notified when an event being investigated is of such a spectacular or unusual nature as to ite general community interest.

designated Department employee shall be responsible for maintaining close liaison with members of news media. He shall facilitate their obtaining accurate information in matters concerning the Department.

Information shall be released to news-gathering media, except informa-tion which would interfere with the in-

 Unarraigned prisoners shall not be interviewed by members of news media proval of the Chief of Police.

Prisoners shall not be compelled to be photographed by meinhers of news

media.
With the advancement of the television industry, the controversy over free e pression and fair trial has only recently encompassed the debate over allowing television cameras in the courtroom. In terviews with Judge Jack Weinstein of the U.S. District Court in Brooklyn, New York, and John Sutro, an attorney in San Francisco, outline the pros and cons associated with the issue. Weinstein perceives televised trials as a public educational device. He believes that 'putting the eye of the public into courtrooms, so to speak, may improve the work of courts at every level even the U.S. Supreme Court, where I think it's perfectly clear that arguments ought to be televised.

On the other hand. Sutro views cameras in the courts as a means to distort the truth. He asserts that televising court proceedings would upset witnesses, influence lawvers or judges to ham it up," and compromise the integrity of the court. "Trials are not for public entertainment.... A television news program is entertainment in the hroad sense. It isn't like looking at a comedy program, but the news show does aim to entertain.

Despite agreements, six states already permit televised trials. How television affects the courts in Alabama, Colorado, Florida, Georgia. Texas and Washington will most likely decide the courtroomcamera's future in other states

Within this maze of conflicting opinions and decentralized resolutions, where does the U.S. Supreme Court stand? A case in 1961. Irvin v. Dowd. involved the rights of a man accused of murder. Though Irvin was convicted of murder and sentenced to death in Indiana, he claimed be was deprived of a fair trial due

jury. The Supreme Court supported his complaint, overturned his conviction and ordered a retrial. Two years later, in 1963. the case of Rideau v Louisiana to right the "trial hy television" dilemma. Wilbert Rideau, convicted of murder in a Louisiana court, appealed his case to the Supreme Court. Because of a 20-minute interview on television in which Rideau admitted that he perpetrated a bank robbery, kidnapping and murder, many believed that the guilty verdict was already established in the minds of the jurors prior to the formal court proceedings. Consequently, the Court reversed the original conviction, Rideau was later retried and was once more convicted in Louisiana.

A third Supreme Court decision exemplifying the free press-fair trial controversy arose from the well-known Samuel Sheppard case in Ohio. Convicted in 1954 of the second-degree murder of his wife. Sheppard appealed his case in 1956, but was turned down by the Supreme Court. After twelve years prison, his 1966 appeal was accepted by the Court and a new trial was ordered. after it was determined that extensive mass media coverage infringed on his right to a fair trial. Sheppard was retried and acquitted. Expressed by Justice Tom Clark, the Court decision did not directly straitjacket the press, but assigned the responsibility of assuring

fair trials to the judges. fn 1972, the Supreme Court ruled that reporters, like anvone else, must disclose the identities of confidential sources to a grand jury. Defending the gag orders Justice Byron R. White said he thought reporters "may be prohibited from attending or publishing information about trials il such restrictions are necessary to assure a defendant a fair

The most recent view of the high court in the First Amendment versus Sixth Amendment dispute developed out of the Erwin Simants case. In October 1975. Simants was charged with killing six members of a family in Sutherland, Neb. In an attempt to secure him a fair trial, the judge limited the printing of certain facts by the local press. This imposition of a gag order was found invalid by the Supreme Court in 1976. The consensus of the nine Justices was: "There is nothing that prohibits the press from reporting events that transpire in the courtroom." Although four of the Justices favored declaring restraints on the press illegal, five judges foresaw the use of judicial restrictions in extreme cases. Rare instances of this kind would place the burden on the judge to overcome the "heavy presumption" that any previous limitation was unconstitutional

The five Justices indicated three considerations prior to a gag order. Initially the judge must be sure that the pretrial publicity would, indeed, damage the impartiality of the jury. As a second requirement, the judge must determine if alternatives to such a restraint would be just as effective in combatting jury pre judice. Finally, the trial judge must ascertain the effectiveness of the gag order itself. None of these requirements were satisfied by the Nebraska court judge. Under this latest Court decision, restrictive measures will be difficult to

"Gagging" - whether it be of the press, television, lawyers or policemen does not seem to be a realistic solution to the conflict of rights. Empowering judges with a high degree of autonomy may prove more harmful than beneficial. John V. R. Bull, assistant to the manag-ing editor of the Philadelphia Inquirer. states. "Now judges are public officials, part of the political system, and like other politicians, they can be intelligent and dumb, honest and corrupt, fair and venal. They have no more right than other branches of government to decide what the public should know about.

Yet, from another perspective, the media should not be granted almighty authority to trespass on individual's rights to an impartial jury. Through mutual cooperation and accomodation. some equilibrium seems attainable between the opposing sides. If judges, attorneys, law enforcers and the media are aware and informed as to the overlapping of the two constitutional freedoms, perhaps they will, of their own volition, collaborate to safeguard both rights.

Until such an idealistic proposition can be realized, one must "place somewhat more trust in the skepticism and objectivity of the jurors themselves," as 'Time magazine noted several years ago. The better educated the jurors are, the more likely they will be informed ahout pending trials. But this is not a reason to advocate a jury of low mental capabilities. On the contrary, while intelligent people are more apt to be aware of contemporary issues and events, perhaps these same citizens more frequently possess qualities such as open-mindedness and sensitivity to reasonable doubt. No matter what the juror has read or observed before the trial, he must be able to dissociate this array of facts and rumors from his task — a task which entails making a decision as to someone's innocence or guilt based upon the evidence

#### Fate of LEAA's offspring remains mixed as D-day arrives for beleaguered Federal agency

Continued from Page 1

out activity will be substantial through the end of FY 1982." Morris testified, 'Monitoring requirements will decline in FY 1983 and should be concluded by the end of the second quarter. However, close-out actions for LEAA grants will continue through the end of FY 1983."

An Associated Press "obituary 1.EAA was a little less cut-and-dried than Morris's testimony. But the best anyone could say about the agency in the AP report was that its most enduring contribution may have been in getting law enforcement officals to think about coordinating their efforts

"When there's not much money around, you don't experiment, Gwen Holden of the National Criminal Justice Association in Washington. 'And the easiest kind of programs to kill are coordination and planning. It doesn't sound like much, but it can really make a difference when people talk to each

Apparently, LEAA's demise didn't sound like much to most of the state criminal justice planners that were informally surveyed by the Associated Press:

A spokesman for New Jersey's Governor Thomas Kean said the death of the agency would pass almost unnoted in his state, since New Jersey spent most of

its money on hardware rather than on projects.

Texas reported that it shifted its planning agency to the governor's office four years ago and financed its programs through fees imposed on defendants in criminal cases.

¶Arizona officials said they have formed two state commissions ecutive agency to improve policing and crime prevention, and a legislative panel to focus on courts and prisons

Nebraska has retained its 20-member Commission on Law Enforcement and Criminal Justice as a separate state en-

Not all of LEAA's children refused to attend the agency's wake. "For New York, the little LEAA grants were the tails that wagged the dog," said Norma Sue Wolfe, a spokesman for the New York Division of Criminal Justice Ser-They were innovative and helped the whole criminal justice system move a

LEAA funds made up 1.2 percent of the total criminal justice funds in New York state. Officials there said most of the larger, successful programs begun with the grants would continue, financed by cities or the state.

LEAA-inspired programs in Connecticut and Oregon, to name two states, did not fare as well. They are expected to go down with the mother ship soon after the Federal agency closes its doors on April

#### Supreme Court aborts habeas corpus for prisoners, except in cases of miscarriage

ontinued from Page 3

tates' sovereign power to punish offenders and their good faith attempts to honor constitutional rights.

Designated as Engle v. Isaac. the Ohio case involved three defendants who had appealed convictions for various violent crimes and had lost. They subsequently began filing various habeas corpus petitions which challenged the jury instructions used by the judges at their respec tive trials. None of the objections had been raised at the time of the trials.

All of the defendants were victorious in lower Federal courts, claiming that Ohio

statutes on jury instructions had changed hetween their trials and their petitions.

O'Connor stated that except where a miscarriage of justice occurred, defendants had no right to raise the new objec-

Justices Harry A, Blackmun and John Paul Stevens wrote separate concurring opinions, while Justices William J. Brennan Jr. and Thurgood Marshall united in a vigorous dissent, accusing O'Connor of distorting facts in the case to achieve "a conspicuous exercise in judicial

#### The ins and outs of police data-processing systems

Continued from Page 1

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through these various stages, the need for the development of a manual to provide guidance in this effort was iden-tified. This subsequently led to the publication of an ICAP manual entitled "System Development Guidelines," developed by Search Group Inc., which one of eight manuals produced for ICAP cities.

While the manual was written by Search Group, the project directors from 12 ICAP cities reviewed the document and contributed to the final product. It contains three major sections that provide basic information about the system development process. The first is written for nontechnical people and provides a comprehensive description of the various phases involved in the development of any police information system. The second section is written for the analyst who would be in charge of project implementation, and discusses specific system analysis and design approaches. A series of appendices serve as a technical reference section that contains information relating to various regulations for security and privacy procurement standards, sample contracts, etc.

The manual has played a key role in assisting ICAP cities in the complicated process of developing automated information systems. Through the use of the manual, the nontechnical people developed a better understanding of the process and the result has been a reduc-tion of problems with automation and systems that provide needed information to the user.

Applications Software

Several of the many ICAP cities that utilize automated systems have been

About the Author:

BILL CADY is a lieutenant with the Oxnard Police Department. A member of the Oxnard force since July 1965, he has been the department's ICAP project director since Oxnard received ICAP Phase I fund-ing in August 1977. He also has administrative responsibilities for records, the bureau of identification



property, crime prevention and data

Prior to working with the ICAP program, he had been assigned to patrol, investigations and support

Before coming to Oxnard, Cady served five years with the In-dependence, Mo., Police Depart-ment, where he attained the rank of sergeant. He has an A.A. degree from Ventura Community College and B.S. degree in criminal justice from the University of La Verne.

directly involved with the conceptual design and testing of software packages either serving as a test site or as an ad visory board. These packages include Police Operations Support System Elementary (POSSE), Crime Analysis System Support (CASS), Investigative Management Information Support (IMIS), and the Morgan System. All of these packages were designed by or had some input from ICAP cities, and all are in use in more than one site. In fact, a number of the cities currently using these systems are not ICAP cities.

The POSSE and CASS software

systems were developed for the Interna-tional Association of Chiefs of Police by Simcon Inc., with funding from LEAA Several ICAP project directors served on the advisory committee for these systems and one city, Simi Valley, Calif., was a test site for the software.

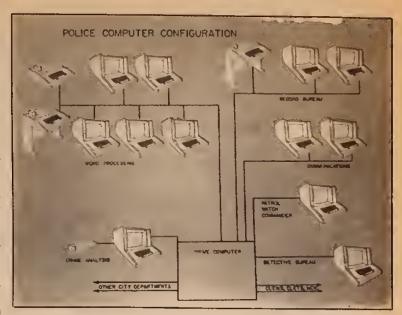
POSSE is a generalized computer system developed to aid local law enforcement in its normal daily operations by reducing the volume of paperwork while increasing the accessibility. timeliness and accuracy of the data available within the agency. The major system components of POSSE, which was designed primarily for small and medium-sized departments, include: calls for service, offense/incident, arrest, juvenile contact, property and inventory control personnel/training, wants/warrants, master name index and UCR

The CASS software, meanwhile, was developed to provide a generalized set of tools to support both patrol and detective functions through a capability to freely create data files as desired by the local agency. Cass provides for local definition of files, easy data entry, speedy data retrieval, statistical summaries and report generation from all files. It is an excellent tool for the nonprogrammed crime analyst. Through the use of CASS, one can do crime pattern detection, crime/suspect correlation, target profiles, exception reporting, crime trend forecasting and resource allocation studies.

The Morgan System is a crime analysis and data-management software package written and enhanced with ICAP dollars. The system was originally conceived and designed by Lieut. Lee Morgan of the Lexington, Ky., Police Department, in concert with Search Group Inc. It is presently in use in Lexington; San Mateo, Calif.: South San Francisco, Calif.: Marin County, Calif.; Fort Worth, Tex., and Austin, Tex.

When originally conceived by Lexington and Search Group, the system was known as the Crime Analysis System (CAS). The programs were writ ten by A. L. Roark and Associates in Lexington. At ahout this time, the McLean, a., firm of Simcon Inc. was writing CASS under contract with the Interna-tional Association of Chiefs of Police. CASS (Crime Analysis System Support) was being developed in BASIC computer language, while the Lexington CAS system was devolped in COBOL. (For an explanation of the various computer-language acronyms used in this article, see the listing elsewhere on this page.)

It was soon evident that there was a considerable degree of justified confusion in the police profession regarding the identity and content of CAS and CASS. Thus, it was decided that a new name was needed for the Lexington soft ware package. At about this time, Lee



A typical law enforcement data processing network.

Morgan and his family were the victims of a tragic fire at their home in Kentucky. In his honor, the system was renamed the Morgan System,

At the present time, Morgan is operational only on an IBM Series/1 computer. Agencies with other hardware are in various stages of converting Morgan to their use. One group, led by the Stockton, Calif., Police Department, is interested in conversion to Digital Equipment Cororation (DEC) PDP-II series using an RSX-11M operating system, Another group led by the Yonkers, N.Y., Police Department wants to convert the system to run on 1BM mainframe computers using the DOS/CICS operating environment. Many agencies have expressed a desire to transfer the Morgan System, and the potential coalitions being considered include users of Wang VA, IBM System 34. Data General Nova, and Honeywell computer systems. The conversion effort centers on modifications of the indexed accessing method and the screen handling routines, since these procedures generally differ significantly butween systems. All programs are modular in design and are programmed in ANSI 1974 COBOL.

Street-Level Implications
What does all this mean to the officer on the street? It means that life can be simpler and safer, if the agency makes full use of Morgan. From a proactive point of view, the crime analyst using the Morgan System should be able to forecast when and where burglaries and robberies will occur. An appropriate form of directed patrol, either covert or preventive, should follow in short order. The system, without enhancements, of-fers five basic files: incident, suspect, vehicle, weapons and M.O. Subsequent program improvements have allowed user agencies to define ten additional files as they see fit, including personnel files (South San Francisco), property room inventory (Marin County) and management of criminal investigations (San Mateo). Application of the additional files is only limited by the user's imagination.

#### The Oxnard Experience

The Automated Police Information System developed in Oxnard was hased on an existing system in Redondo Beach, Calif., and transferred, modified and enhanced with ICAP grant funds. The system was transferred in April 1980, and preliminary modifications were completed and the system was made operational on August 1, 1980. The actual installation and modifications were done by Ray Sanders, who wrote the original Redondo Search System. Additional modifications have been completed since then, and final applications, including a geo-base file and automatic data extraction from police reports, are presently being programmed.

Event File - All requests for police service. May ultimately be unnumbered events (no report) or numbered events {report};

Activity File - All other officer activity that is not the result of a request for

Arrest File - All bookings, citations, arrests, juvenile citations and juvenile

bookings; Citation File - All traffic citations

Collision File — All traffic collisions: F.I. File — Field interview reports. This file also contains nicknames, tattoos

and key offenders; M.O. File - Breakdown of all Part 1

crimes by M.O. factors; "A" File — Central name index of all names entered into above files:

"L" File - Index of all locations of police events, collisions, citations, F.L.'s,

Pawn/Stolen Property File - This file will allow the input of all pawn receipts and stolen property from offense reports.

Property Inventory File - The system will check stolen against pawned property and furnish possible hits. The property inventory file will allow property to be Continued on Page 13

#### An abbreviated look at computer terms:

BAS1C: Beginner's All-Purpose Symbolic Instruction Code.

CICS: Customer Information and Control System.

COBOL: Common Business Oriented Language

DOS: Disk Operating System.
FORTRAN: Formula Translating

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We read and review. . .

#### Human relations training: no panacea for policing

Human Relations: Law Enforcement in a Changing Community. Third Edition. By Alan Coffey, Edward Eldefonso and Walter Hartinger. Englewood Cliffs, N.J.: Prentice-Hall Inc., 1982, 279 pp.

In 1829, when Sir Robert Peel introduced the first organized police force in London, the citizens were up in arms over the thought that some "Blue Devils" were going to control their behavior.

The common thought of the day was that Peel's police would be making "an insidious attempt to enslave the people by arbitrary and tyrannical methods." Even the venerable London Times urgedrevolt by the people.

Obviously, the citizens' perception of the police has changed dramatically since

the days of Sir Robert. However, there are still many citizens who simply do not trust the police. (Perhaps this is healthy in a democratic society.)

The police have never been overwhelmingly accepted by lower income citizens, and this appears to be the area where the greatest number of problems in police-community relations arises.

The authors attempt to confront the problems that arise in a community and their effect on the enforcement of the law. Suggestions are made, but the underlying theme of the book is that the police are primarily responsible for enforcing the law and only indirectly responsible for resolving social problems. However, in enforcing the law, the authors feel that

the police must understand the problems of the community in which they work.

As with any book on human relations, the narrative is bound to focus on race—not because the police are necessarily racist, but primarily because blacks, Hispanics and native Americans are disproportionately represented in the lower socio-economic level of society and this is the level of the population that disproportionately demands the most of police resources.

Historically, police have never had a good relationship with the poor. Whether the poor have been Irish, Italian, Jewish or, as they are today, blacks. Hispanics and native Americans, the police in the lower income community have always had an image problem.

The authors have attempted to explain this problem by looking at both sides of the controversy. They note that most complaints against the police are nothing more than false accusations. Witness the hlack man who is active in police community relations in a large city. The man is not a policeman. He tells of some complainants who tell him that they have made hrutality complaints to "get back"

at the officer for arresting them. Others have complained hecause the police were not tactful enough in dealing with them.

Of course, some complaints are legitimate, but all too often the complaints are made because of a lack of understanding on the part of the complainant as to just what a police officer can and cannot do.

On the other side of the controversy, the book covers the culture shock that many white police officers suffer when they are first exposed to the lower-class black subculture. This lack of understanding is reinforced when an officer seeks out others who believe as he does and they sit around agrieing with each other's beiefs in the shortcomings of this "alien" subculture.

The authors seem to agree that giving police officers training and education in community relations and then sending them back into the lower-class community does not seem to be the panacea that some experts think it to be. Quite often what happens is that after several weeks of returning to this "hostile" community, the officer reverts back to his pre-

Continued on Page 15

## Discretion examined in book aimed at 'educated layman'

Prescription for Justice. By Jack M. Kress. Cambridge, Mass.: Ballinger Publishing Co., 1980, 357 pp. Discretion! How many times have

Discretion! How many times have students and their professors discussed and debated this concept? How many times a day do criminal justice practitioners think about discretion? The answer, of course, is too large to surmise. However, there is no doubt that the concept of discretion as used in analyzing the American system of criminal justice is of primary importance, and rightfully so. An excellent example of a scholarly work dealing with the concept of discretion in the criminal justice system is "Prescription for Justice" by Jack M. Kress.

Professor Kress has taken the concept of discretion as utilized by the criminal justice system in the area of sentencing of convicted offenders and has pro-

gressed from a theoretical discussion of discretion in the sentencing practices of those actually involved in making such decision — i.e. judges, parole board members, prosecutors and probation officials — to an action-oriented description of how to limit their discretion in a fair and just manner. Kress's work deals with results gained through experience in the real world of the American criminal justice system. A multi-jurisdictional approach to the research performed by Kress makes his model for scientific sentencing guidelines all the more valid.

"In or out, that's what its all about." In a nutshell, this is the subject of this work. The real question is one that has haunted judges, and now social scientists, since the inception of criminal penalties: How can convicted offenders receive equal and Continued on Page 42

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## Investigation text combines experience and academic savvy

Criminal Investigation. By Wayne M. Bennett and Karen M. Hess. St. Paul. Minn.: West Publishing Co. 493 pp. 1981.

"Criminal Investigation" represents a combination of law enforcement expertise and instructional experience in an academic environment. Wayne Bennett is the Chief of Police, Boulder City, Nev., and has been active in law enforcement for 35 years. Karen Hess is on the staff of Normandale Community College in Bloomington, Minn., and has been developing instructional programs for 15

hach chapter begins with a series of questions to be considered and answered by the reader. The purpose of the questions is to determine the reader's current knowledge of the subject matter covered in the chapter. Throughout each chapter, questions on preceding material are included, with the answers found in the following paragraph.

The book starts with an overview of the criminal investigation process, examines specific areas affecting that process, and finishes with courtroom preparation and testimony. The book flows in a logical

progression and presents prevailing ideas and practices in criminal investigation.

The section on search and seizure is particularly comprehensive and easily understood. Since this is an important and complex area of law enforcement, it was refreshing to see this subject handled in that manner.

A complete glossary of terms relative to criminal investigation in particular and to law enforcement in general are contained in this book after the last section. The definitions of these words and phrases are stated in a language which makes their meaning clear and understandable.

"Criminal Investigation" is a textbook which can be utilized in the classroom by students learning about the subject, by instructors teaching students or police officers, and by investigators as a ready-

JACK F.DOWLING Director of Security Bucknell University Lewisburg, Pa.

#### Reporting delays seen hurting police response efforts

Continued from Page I

an hour." declared the researchers. "The chances for arrest were no better for five-minute delays than for 60 minute delays."

#### 911 Knocked

What's a police agency to do, considering that a full 46 percent of the "involvement" crimes studied were reported more than five initutes after they occurred? The report indicated that implementation of a "911" emergency phone system is not the answer.

Only one of the sample cities, Peoria, uses 911, but not to a very good end, according to PERF. On the average, the system managed to cut reporting time hy only 10 seconds, and in many individual cases confusion over the use of 911 actually increased reporting time.

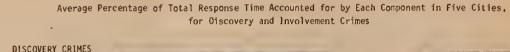
"This is because departments, in their attempts to keep the number of 911 calls under control, encourage people to use 911 only for emergencies," the report said. "In our sample, a few people in every city mistook in-progress crimes and crimes in which a victim had been in jured. . to be non-emergencies and so looked up numbers in phone books. . . . Extensive publicity accompanying 911 in Peoria) may have backfired, causing slower reporting times."

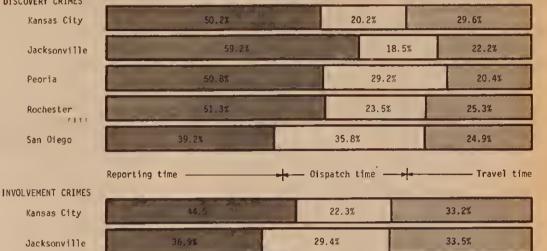
#### Publicity as an Anticrime Tool

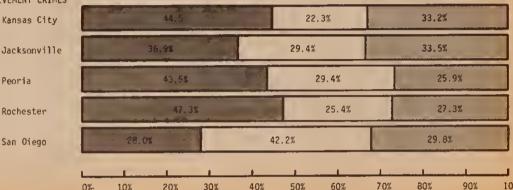
Publicity can be used effectively by police to cut reporting time, the report noted, explaining that many citizens delay calling the police because they tear the financial and emotional consequences involved.

"Because delays caused by conflict turn less on the actual cost of reporting than on potential often unknown costs," the researchers stated, "it is possible that some gains can be made simply by advertising how infrequently offenders take reprisals against victims and witnesses and how convenient police procedures...are."

Naturally, such publicity must be backed by reality. The report urged police to assist victims and witnesses in getting to police stations and court houses and to institute victim/witness







protection units to prevent reprisals.

The study was also impressed with community-based anticrime programs, noting that they alleviate reporting delays caused by citizen ambiguity. "Citizens need to know what a crime looks like and where it is likely to occur," the study noted. "To provide such knowledge is the goal of programs like Neighborhood Watch, When Neighborhood Watch works, it is because citizens share information about each other's

habits and activities."

#### Screening Makes Sense

Whatever outside programs police implement, the PERF report suggested that they should look inward to their own mechanisms for accepting citizens calls for assistance and rank them according to seriousness and how urgently assistance is needed.

"Some kinds of calls will demand simply that reports be taken by phone; civilians can be set to cold burglaries,"

the report noted. "In turn, this will free patrol resources to conduct more comprehensive on-scene investigations; it, will make way for increased use of surveillance, decoy and other directed patrol activities; it will permit utilization of 'escape-route blocking' tactics in cases of quickly reported crimes; it will allow officers to perform duties they are now unable to discharge because at present they must go back into service to handle non-urgent calls."

#### On the bookshelf:

#### Discretion gets 'heavyweight' treatment

Continued from Page I

just punishment when so many different players are involved in the sentencing "game"?

In addressing such a complex issue, Kress has successfully analyzed the problem of equal and just sentencing in terms of the constitutional, practical and propriety aspects of the matter. The result is a work which can be used by both the practitioner and the theoretician in their respective realms of responsibility. Models are provided for use by agencies in establishing their own systems of sentencing guidelines which can be relevant to the needs of their area. The author has also included information based on past guideline projects which is invaluable to those responsible for the successful implementation of sentencing guidelines.

The author states that his work is aimed at the educated layman, and this reviewer must agree. Clearly the reader must have a sufficient background in the workings of criminal justice in order to fully comprehend the major premises of the book. It should be utilized by senior

or graduate-level students, judges, parole board members and probation officials, since along with providing the reader with a comprehensive study of contemporary sentencing guidelines, it gives a reader sufficient insights into the entire scope of the process involved in sentencing the convicted offender, as provided in current sentencing statutes in this nation.

The multiple purposes of this work have very easily been met and surpassed. Kress has done a remarkable job of providing a very comprehensive, yet readable work which can also be used as a guide in reforming the present state of sentencing the convicted offender. His research is as sound as the rest of the work and the results that should come from this scholarly piece in terms of reform of the criminal justice system will repay Kress many times over.

Perhaps the major impact of this work will be felt in the fact that it can serve as a model for future research and change in other areas of the criminal justice system. There is no doubt that if other social scientists and practitioners were to

use this work as a place to begin, tremendous inroads could be made into making the criminal justice system more effective and efficient, while at the same time providing for a more equal and just treatment of the individuals caught up in the tion can be learned from this work by all of us concerned about the criminal justice system, including police officials, for until discretion is limited on a concerted basis by all of the "players" taking part in the criminal justice system, justice will not be a product of it. Kress's dedication and hard work have paid off in his production of a fine piece of scholarly work, which will no doubt earn him a niche as a criminal justice research heavyweight.

WALTER M. FRANCIS
Commander, Administrative Section
Greeley Police Department
Greeley, Colo.

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#### Philly mayor moves to boost minority hiring

Continued from Page 3

ly make up about 17.5 percent of the force, which polices a city with a 40 percent black population.

The sources said the mayor's plan aims at legally increasing the minority hiring rate to about 30 percent over the next five years. Estimating that about 2,000 officers would be hired by 1987, the administration said that about 340 of those would be minorities. They would be above and beyond the additional 220 separately hired minority recruits that Green is advocating.

Ronald Oliver, executive director of Philadelphia's black police officer group, the Guardian Civic League, noted that his organization favors the pass-fail system proposed by the mayor's task force and was still trying to assess Green's latest plan.

"It leaves us in kind of a quandary," Oliver told the Inquirer. "The mayor says he has a plan, but we have no effective idea of what his plan means."

## Supreme Court Briefs: one error does not a basis for appeal make

Continued from Page 5

resignation dated May 14, 1968, he wrote, "It seems clear to me that it is not my duty to remain on the Court, but rather to resign in the hope that this will enable the Court to proceed with its vital work free from extraneous stress."

Since that time Fortas continued to practice law in the relative obscurity of a small Washington law firm. His excursion into the limelight of the Supreme Court for the first time since his resignation marked a great man's coming to terms with a significant setback that was one of few disappointments in an otherwise distinguished career.

Fortas's greatest contribution to the Court came in the area of expanding the rights of persons accused of criminal offenses. Since his departure, the Court, under the leadership of Chief Justice Burger, has pulled back the reins in granting criminal defendants broader protections and access to the courts. The most recent example of the Supreme Court's action in this area follows.

Habaas Corpus — Assistance of Counsel In an unsigned opinion, the Supreme Courteeaffirmed the position that a state criminal defendant does not have an absolute right to take an appeal to the Florida Supreme Court.

The latest articulation of that principle came in a Florida case arising in 1978. In this case the defendant was convicted of several felonies. The conviction was affirmed by Florida's Third District Court of Appeal.

Following the affirmation of the conviction, the appellant retained private counsel who promised that he would seek review of the conviction in the Florida Supreme Court.

Under Florida's court procedure, it was necessary in this case to file a notice of intention to apply to the Florida Supreme Court with the clerk in the Third District Court of Appeal by July 17, 1978. On July 14, the secretary for the privately-

## Slow but steady wins computer race for ICAP

Continued from Page 7
entered as recovered, evidence, safekeeping or contraband.

All four systems described above will support ICAP as it applies to resource allocation, patrol management, investigations management, directed patrol, offender identification and offense tracking, but each is unique in its own way. POSSE/CASS and the Morgan System are police department-dedicated systems, while the system in Oxnard is shared with other city departments on a large computer. Although there are valid arguments, pro and con, regarding a shared system, it can work if the police system maintains some measure of priority and if security provisions are installed.

The development of data processing in ICAP cities has been a slow process since the first grant awards were made for the Patrol Emphasis Program (PEP) seven years ago. Nevertheless, some of the best systems, from the user's point of view, have come from ICAP cities or through their involvement. As with most of the other components of ICAP, automated data processing has been a means to an end, and not an end in itself.

retained attorney took the papers over to the clerk's office. Having gotten lost on the way there she arrived at the office after it had closed for the day. Instead of leaving the papers in the night deposit box, which she did not know existed, she took the papers home. The following day she mailed them. The clerk received the papers on July 18, one day after the deadline had passed.

The Supreme Court of Florida dismissed the defendant's application for a review of his conviction on the ground that the application had not been made in time. Upon learning of the Florida Supreme Court's action, the defendant filed a petition in the U.S. District Court for the Southern District of Florida, contending that he had been denied his right to effective assistance of counsel by the failure of his attorney to file the application for appeal on time. The District Court denied the application, noting that the attorney's action of not filing the application on time was not "so grossly deficient as to render the proceedings fundamentally unfair.

The District Court's decision was based upon the fact that the defendant had already received one review of his conviction and that appeal to the Florida Supreme Court is discretionary and not a right. The U.S. Court of Appeals reversed.

The Supreme Court in turn reversed the Court of Appeals, stating that the District Court had ruled properly. Citing Ross v. Moffitt, 417 U.S. 600 (1974), the Court held that a criminal defendant does not have a right to counsel to pursue discretionary state appeals or appeals to the Supreme Court. The Supreme Court reasoned that since the defendant had no constitutionally guaranteed right to counsel for the appeal, he could not have been deprived of the effective assistance of counsel by his attorney's failure to file the appeal application on time.

Dissenting from that reasoning was Justice Marsball, who argued that even if the appeal to the Florida Supreme Court was discretionary, the defendant was denied the effective assistance of counsel. In relying on his attorney's promise to take the appeal, the defendant did not take any action on his own behalf, which might have resulted in his receiving a second review of his conviction.

Justice Brennan, although concurring with the decision, noted that he would have liked to schedule the case for oral argument and full plenary review rather than the summary review and decision that was actually rendered. (Wainwright v. Torna, No. 81-362, decision announced March 22, 1982.)

## Coming Up in LEN:

A look at policing Down Under — the Australian federal system.

You'll say you saw it in Law Enforcement News



#### BURDEN'S BEAT By ORDWAY P. BURDEN

### More than busybodies, involved citizens show their worth as eyes and ears of the law

Our eyes tend to glaze over when some old codger begins to pontificate about the "good old days." Those of us who have been around for a few years remember that those days weren't all that great. But they did have one thing to recommend them—there was a spirit of neighborliness and concern for those around us that has been lost, at least to some degree, in today's society.

Much of that spirit may have been plain nosiness, but there was an element of caring in it, too. And it appears that some of that spirit is making a comeback today under the prod of increasing crime.

Hundreds of communities across the country have organized groups of neighbors to watch for suspicious activity and to keep an eye on each other's property. The best known are the Neighborhood Watch groups formed under the auspices of the National Sheriffs' Association. Some 20,000 of them are organized in all 50 states, but even that impressive number may be just the tip of the iceberg, since many cities and small towns have organized along similar lines through their local police departments.

Some crime-watching groups are fairly elaborate, with regular patrols of neighborhoods by unarmed civilians, some of whom carry CB radios and whistles to alert each other and the police to suspicious circumstances or persons. Others are little more than a network of neighborhood residents who agree to keep a watchful eve from within their homes.

While there is no way of measuring their effectiveness, many police departments believe they are a plus in the fight against crime, if only because they give police extra sets of eyes and ears. In Paterson, N.J., for example, the police estimate that there is 45 percent less crime in blocks that have crime-watchers than on nearby blocks that don't.

In New York City, 65,000 residents are registered with the police as block-watchers. They are given a short course by precinct officers on what to look for and how to give useful descriptions to the police. Another group of some 50,000 volunteers operates regular security patrols in 135 New York neighborhoods. The civilians are, of course, unarmed and have instructions not to play hero, but rather to phone the police immediately when they see something amiss. Some patrols are equipped with CB radios and base stations; others have to find a phone booth to make a report to the police.

The NYCPD has encouraged citizen participation in the fight against crime, and every precinct now boasts a Precinct Community Council that enlists volunteers for its crime-watch programs, coordinates their activities, and provides a forum for police-community relations. "What we are trying to do, literally, is to organize every block and every building in this city and to give people the tools with which to help themselves," said Richard B. Shapiro, director of the department's Civilian Participation Programs

In Los Angeles, leaders of some civilian car patrols said that initially they got a cool reception from the police. But late last year, in reporting a decrease in crime on the affluent west side of Los Angeles, the LAPD gave partial credit to residents' efforts as crime-watchers and patrollers.

Among the nation's major cities, Detroit may be the leader in civilian participation in crime prevention. Detroit's strong program is the work of Police Chief William L. Hart, who found only two officers assigned to crime prevention when he became chief five years ago. Today the city has 150 crime prevention officers and a \$4 million budget for their work. The effort includes business crime-watch programs, a neighborhood crime watch with 600,000 members, youth programs and police ministations. The result: Detroit has enjoyed a 28 percent reduction in reported crime in the past three years; in the central city, the decline has been 10 percent.

the past three years; in the central city, the decline has been 10 percent.

For his work in developing this model anti-crime effort, Chief Hart received the first National Award of the Crime Prevention Coalition, a federation of private and public organizations and agencies that promotes crime prevention throughout the country. The coalition, best known for its "McGruff the Crime Dog" advertising spots, now includes 17 state affiliates, three state crime prevention associations, 39 nonprofit organizations such as the Jaycees and General Federation of Women's Clubs, and 11 Federal agencies such as the FB1 and the Justice Department's Office of Justice Assistance, Research and Statistics (OJARS).

The Crime Prevention Coalition has as its technical arm the National Council on Crime and Delinquency, which helps member organizations to develop educational programs and aids them in publicizing crime prevention activities. The NCCD offers a number of booklets and other materials on such subjects as crime-proofing homes and businesses, preventing arson and protecting neighbors. The coalition's message appears to be getting through to the public. A recent survey showed that McGruff, its canine symbol, is recognized by 50 percent of all Americans, according to Berkley M. (Mac) Gray, NCCD's crime prevention director.

The Crime Prevention Coabtion's work was started with a grant from OJARS that runs out in September. "We're sweating out new funding now." Gray said. But those fiscal clouds do not diminish the improving picture for the nation's efforts to get its citizens to help themselves in preventing crime.

(Ordway P. Burden welcomes correspondence to his office at 651 Colonial Blvd., Westwood P.O., Washington Twp., NJ 07675.)

#### Put More Bulk In Your Diet

Bulk copies of Law Enforcement News are still available to criminal justice groups for seminars, workshops and conferences. To obtain copies, send us the number needed and the date of the event (on letterhead). Write to: Gerry Paulino, LEN, 444 West 56th Street, New York, NY 10019.

Police Officers, Immediate openings are available with the Tampa, Fla., Police Department. The department is currently seeking applicants between 21 and 30 years of age. In addition, candidates must possess at least a high school diploma or the equivalent, be a U.S. citizen, and possess a valid Florida driver's license. A background investigation will be conducted.

Base salary range is \$14,409.20 to 19,006 per year. plus a comprehensive benefits package that includes a 20-vear retirement plan.

Address inquiries to: Tampa Police Department, Personnel Section, 170 N. Tampa Street, Tampa, FL 33602. Telephone: (813) 223-8476.

Police Chief. Orangeburg, S.C., seeks a qualified law enforcement professional to plan, direct and evaluate operations within its 38 member municipal police department. The individual selected will be responsible for developing an annual budget and controlling budgeted expenses, and for developing and implementing progressive policies, procedures, rules, regulations and programs for the betterment of the department.

Applicants should have a comprehensive knowledge of laws and court decisions relating the administration of municipal law enforcement and public safety, and should he skilled in scientific methods of crime detection, 1.D., communications and personnel. The position requires extensive experience and education in law enforcement and public safety of a progressively responsible nature, and answers to a city administrator and a five-member city council.

To apply, send resume to: City Administrator, P.O. Drawer 387, Orangeburg, SC 29115.

Police Officers. Cheyenne, Wyo., located in the heart of the Rocky Mountains, is seeking men and women between the ages of 21 and 35 for police officer vacancies.

Applicants must be able to pass written, strength and agility, polygraph, oral board, and medical examinations, as well as a background investigation. The writ ten exam will be administered at 8 A.M. on June 19, 1982, and applicants must be able to remain in Cheyenne for testing from June 19 through June 23. Starting salary for the positions is \$14,448 per year.

Further information and an application form may be obtained by writing to: Personnel Department, City of Cheyenne, 2101 O'Neil Avenue, Cheyenne, WY 82001. The deadline for receipt of applications is June 10. A resume is appreciated.

Police Officers. The City of Burlington, N.C., has set a hiring date of July 1982 for new police officers. The 102 member department is seeking applicants who are at least 20 years old, possess a high school diploma (college preferred), are in good physical condition with weight proportionate to height, have 20/20 corrected vision, and are of good moral character. Applicants must successfully pass a written aptitude test, physical agility test, oral review, polygraph examination, physical exam, and an extensive background investigation.

Starting salary for police officers is \$12,050 to \$12,350 annually, with top pay from \$15,408 to \$16,008, depending upon educational level. Fringe benefits include nine paid holidays, 12 sick days, and 12+ vacation days per year. All uniforms, leather and weapon are fur-

To apply, send resume to: Personnel Department,

City of Burlington, P.O. Box 1358, Burlington, NC

Chief of Police. An experienced police professional is being sought to head the police department in Bristol, Tenn.

Applicants should possess a baccalaureate degree from an accredited college or university. Ten years of ex-tensive experience and background in law enforcement organization management may be substituted for the degree requirement. Applicants should be able to demonstrate a comprehensive participation in inservice and continuing education training programs, along with a background in a wide range of law enforcement functions, including (but not limited to) traffic, investigations, public relations, juveniles and undercover operations. Salary range for the position is \$21,250 to

To apply, send resume to: Jerry L. Pulliam, Director of Purchasing and Personnel, P.O. Box 1189, Bristol, TN 37621-1189.

Police Officers. Immediate openings are available in the Largo, Fla., Police Department, an agency that serves a city of 65,000 residents and offers progressive and professional growth in law enforcement. The Largo Police Department was recently chosen as an Integrated Criminal Apprehension Program city by the State of Florida.

Minimum recruit-level entry requirements include U.S. citizenship, a high school diploma or equivalent G.E.D. recognized by the State of Florida, and applicants must be at least 19 years of age. Base salary range is \$14,019 to \$18,595 after six years of service, plus a comprehensive benefits package. Salary incentives are provided by the State of Florida for a college degree or earned college credits equivalent to two years

To apply, send resume to: Largo Police Department, Personnel Unit, P.O. Box 296, Largo, FL 33540. Telephone: (813) 586-2666, ext. 302.

Faculty Position. Milwaukee Area Technical College has a position opening for fall 1982 for an individual to develop curriculum and teach in their associate degree program in police science/private security. Successful candidate will also design and teach short courses and programs for police and private security outreach offer-

Applicants must have a minimum of a baccalaureate with at least five years experience in the occupations. A combination of experience and education will be accepted. A master's degree and experience in teaching and curriculum design is desirable.

To be considered for the position, call or write for of-ficial application form and job description. Contact: Milwaukee Area Technical College, Office of Employe Services, 1015 North Sixth Street, Milwaukee, WI 53203. Telephone: (414) 278-6576.

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## UPCOMING EVENTS

#### MAY

10-14. Managing the Security Function.
Presented by the Pennsylvania State
University. Fee: 8350. For lurther details,
contact: The Pennsylvania State University,
Keller Conference Center, University
Park, PA 16802.

10-21 At-Scene Traffic Investigation Seminar. Presented by The Institute of Police Traffic Management. For further details, contact: Institute of Police Traffic Management, University of North Florida, 4566 St. John's Bluff Rd., South Jackson ville, FL 32216.

10-21. Middle Management Training Course. Presented by Florida Institute for Law Enforcement. Fee: \$150. For lutther details, contact: The Florida Institute for Law Enforcement, P.O. Box 13489, St. Petersburg, FL 33733.

14. Arrest Issues Program. Presented by the Center for Criminal Justice. Fee: \$50. For further details, contact Case Western Beserve University, Center for Criminal Justice, 11075 E. Blvd., Cleveland, OH 44106. Telephone [216) 368-3308.

17-19, 22nd Annual New York Professional Polygraph Seminar, Presented by The National Training Center of Polygraph Science, Fee: \$125, For Jurther details, contact: Richard O. Arther, Suite 1400, 200 West 57th Street, New York, NY 10019.

17-21. Advonced Security Management Program. Presented by American Society for Industrial Security. To be beld in Atlanta, GA. Fee: \$595. For further details, consult. American Society for Industrial Security, 2000 K Street, N.W., Suite 651, Washington, D.C. 20006.

17-21. Analysis of Low Enforcement Data Course. Presented by The Institute of Police Trallic Management. To be held in Jacksonville, Fla. Fee: \$225. For further details see: May 10-25.

17:28. Managing Small and Medium-Sized Police Department Course. Presented by The Traffic Institute. Fee: \$500. For lurther details, contact: The Traffic Institute, Northwestern University, 555 Clark St., P.O. Box 1409, Evanston, Ill 60204.

20-21. Conference on Dispute Resolution. Presented by the New York State Office of Court Administration. For further information, contact: Dr. Maria R. Volpe, John Jay College of Criminal Justice, 445 W. 59th Street, New York, NY 10019. Telephone: 1212) 489-3990.

21-22. Drug-Alcohol Recognition Training Seminar. To be held in San Francisco, CA. Fee: \$200. For further details, contact: Dr. Sharp, 1410 E. Glenoaks Blvd., Glendale, CA 91206.

22-23. Techniques for Law Enforcement Course. Presented by Davis Clark & Associates. For lurther details, contact: Mr. Marc Bradshaw, Program Coordinator, Davis Clark & Associates, P.O. Box 6524, Modesto, CA 95355. Telephone: (209) 577-5020.

23-26. Dispositional Alternatives for the Serious and Violent Juvenile Oflender. Presented by The National College of Juvenile Justice. To be held in San Diego, CA For lurther details, contact: National College of Juvenile Justice, P.O. Box 8978, University of Nevada, Reno, NV 89507. Telephone: 1702) 784-6012.

24-June 4. Advanced Traffic Accident Investigation Course. Presented by the Instituta of Police Traffic Management. Fee: \$395. For further details, see: May 10-21.

25-27. The Eastern Motorcycle Gang Investigators Conference. To be held at the Hollday Inn, King of Prussia, PA. Sponsored by the Delawace County District Attorney's Office. Tuitlon: \$80. For more information, contact: Eastern Motorcycle

Gang Investigators, P.O. Box 183, Lima, PA 19037.

26-June 6. Institute for Jail Management Course. Presented by The National Association of Criminal Justice Planners. To be held in Boulder, CO. For further details, contact: The National Association of Criminal Justice Planners, 1012 14th Street, N.W. Suite 403, Washington, DC

27:28. Street Survival Seminar. Presented by Calibre Press. To be held in Bismark, ND. For further details, contact: Colibre Press, 666 Dundee Road. Suite 1607, Northbrook, Ill 60062. Telephone (312) 498-5680.

28. Search and Seizure Program. Presented by the Center for Criminal Justice. Fee: \$50. For lurther details, see: May 14

28-29. Spring Conference of the North Carolina Association of Criminal Justice Educators. North Carolina Justice Academy Salemburg, N.C. For further information, contact. Dr. Bob Coggins, Central Piedniont Community College, Charlotte, N.C. 28204

31-June 4. Criminal Justice Standards and Training Commission Interview And Interrogation Seminar. Presented by the Florida Institute for Law Enforcement. Fee: \$100. For further details, see: May 10-21.

31-June 11. On Scene Accident Investigation Seminar, Presented by The Traffic Institute, Fee: \$500. For further details, contact. The Traffic Institute, 555 Clark Street, Evanston, Ill. 60204.

#### JUNE

1-3. Criminal Justice Standards And Training Commission Course. Presented by the Florida Institute for Law Enforcement. Fee: \$125. For further details, see: May 31—June 4.

2-3. Street Survival Seminar. Presented by Calibre Press. To be held in Modesto, CA. For further details, see: May 27-28.

2.4. Probation Supervisor, Phase III Course. Presented by The Regional Criminal Justice Training Center. For lurther details, contact: Yosemite Community College District, P.O. Box 4065, Modesta.

3-4. Women In Criminal Justice Workshop. Presented by The Massachusetts Criminal Justice Training Council. For further details, contact: Massachusetts Criminal Justice Training Council. 1 Ashburton Place, Room 1310, Bostan, MA 02108.

3-5. National Conference on Alternate Family Dispute Resolution. Presented by The American Bar Association. To be held in Washington, DC. For further details, contact: Howard Davidson, Staff Director, National Legal Resource Center for Child Advocacy and Protection, 1800 "M" Street, N.W. Washington, DC 20036. Telephone: (202) 331-2293.

5-6. Polygraph Interrogation Seminar. Presented by The National Training Center of Polygraph Science. For further details, contact: Richard O. Arther, Suite 1400, 200 W. 57th St., New York, N.Y. 10019.

5-6. F.A.S.T., Firearms And Defensive Tactics Course. Sponsored by Brookfield Police Department and Ohio Law Enforcement Martial Arta Association. Fee: \$100. For lurther information, contact: Patrolman J.C. Mitchell, Brookfield Police Department, 6844 Strimbu Drive, Box 21, Brookfield, OH 44403. Telephone: 1216) 448-4045.

6-10. Law Enforcement/Security Survival Program. Presented by Richard W. Kobetz & Associates. To be held in Winchester, VA. For more details, contact: Dr. Richard W. Kobetz, North Mauntain Pines Training Center, Routa, Two. Box 342, Winchester, VA 22601. Telephone: (703) 662-7288.

7-11. Homicide Investigation Seminar, Presented by The Center for Criminal Justice. To be held in Cleveland, OH, Fee: \$150. For further details, see: May 14.

7-11. Hypnosis In Criminal Investigation Seminar. Presented by Florida Institute for Law Enforcement. Fee: \$100. For further detaila, see: May 10-21.

11. Seminar On Civil Anti-Racketeering Remedien, Presented by the Battelle Memorial Institute. For further details, please contact: The Registrar, Battelle Seminars and Studies Program, 4000 N.E. 41st Street, Seattle, Washington, 98105. Telephone: (206) 527-0542. Or call toll Iree: 1-800-426-6762.

13-19. Second Annual Certified Security Trainer Program. Presented by the Academy of Security Educators and Trainers, Inc. Fee: \$1400. For lurther details, contact: Norman R. Bottam, Jr Criminology Dept. Indiana, PA 15705 Telephone: (412) 357-2770.

14-15. Street Survival Seminar. Presented by Calibre Press. To be held in Hendersonville, TN. For further details, see: May 27-28.

14-15 Basic Crime Prevention Theory & Practice Seminar. Presented by The School of Justice Administration. Fee: 8500. For further details, contact: Admissions, National Crime Prevention Institute, School of Justice Administration, University of Louisville, Shelby Campus, Louisville, KY 40292. Telephone: [502] 588-6987.

14-16. Police Rangemaater Course. Presented by Davis Clark & Associates. For further details, see: May 22-23.

14-25. Basic Crime Prevention Theory And Practice Seminar, Presented by The School of Justice Administration, Presented by The National Crime Prevention Institute. Tuition: \$500. For further details, contact: Admissions, National Crime Prevention Institute, School of Justice Administration, University of Louisville, Shelby Campus, Louisville, KY 40292. Telephone: (502) 588-6987.

14-July 2. Technical Accident Investigation Course. Presented by The Traffic Institute. Fee: 3625. For further details, see: May 17-28.

15. Use of Deadly Force Workshop. Presented by the Massachusetts Criminal Justice Training Council. For further details, see: June 3-4.

15-17. Arson Investigation Seminar. Presented by The Center for Criminal Justice. To be held in Cleveland, OH. Fee: \$150. For further details, see: May 14.

15-17. Burglary Investigation Seminar. Presented by Washington Crime News Services. To be held in Tampa, FL. Fee: \$315. For further details, contact: Washington Crime News Services, 7620 Little River Turnpike, Annandale, VA 22003. Telephone; 1703) 941-6600.

18. Civil Liability Course, Presented by the Center for Criminal Justice. To be held in Cleveland, OH Fee: \$50. For further details, see: May 14.

21.25. Law Enforcement Instructor Training/Management Workshop. Presented by the Southwestern Legal Foundation. For further details, contact: Donald T. Shanahan, Director, Southwestern Law Enforcement Institute, P.O. Rox 707, Richardson, TX 75080. Telephone: 12141-690-2394.

21-25. Twenty-Fifth Annual Short Course for Delense Lawyers in Criminal Cases. Fee: \$350. For further details, contact: Office of Continuing Legal Education, Northwestern University School of Law, 357 E. Chicago Avenue, Chicago, III 60611.

21-25. Science In Law Enforcement Course, Presented by Case Western Reserve University, Fee: \$175. For further details, see: May 14.

21-25. Law Enforcement Instructor Training/Management Workshop. Sponsored by The Southwestern Legal Foundation. For further details, contact: The Campus of The University of Texas at Dallas, P.O. Box 707, Richardson, TX 75080, Telsphons: (214) 690-2377.

24.27. Law Enforcement Hypnoale Seminars. Presented by the Law Enforcement Hypnoais Instituta, Inc. To be held in St. Louis, MO. For further details, contact: Dr. Martin Reiser, Director, Low Enforcement Hypnoais Instituta Inc., 303 Gretna Green Way, Los Angeles, CA 30040. Telephone: [213] 476-6024.

27-July 1. Fifth Annual Vehicular Homicide/DWI Conference. Presented by The Traffic Institute, Fee: \$275. To be held in Chicaga, Ill. For further details, see: May 31-June 11.

27-July I. Terrorism In The 1980's Workshop. Presented by Richard W Kobetz and Associates. To be held in Toronto, Ontario, Canada. For additional information, and free newsletter, contact: Dr. Richard W Kobetz, North Mountain Pines Training Center, Route Two, Box 342, Winchester, VA. 22601. Telephone: 17031 662-7288.

27-July 11. A Two-Week Criminal Justice Seminar. Hosted by the Netherlands School of Business. For additional information, contact: School of Criminal Justice, State University of New York, 135 Western Avenue, Albany, N.Y., 12222. Telephone: (518) 455-6284.

28-29. The Police Response to Hostage Situations Seminar. Presented by The Pennsylvania State University. For further details, contact: The Pennsylvania State University, Keller Conference Center, University Park, PA 16802.

29:30. Street Survival Seminar. Presented by Calibre Press To be held in Huntington, W. Va. For further details, see: May 14.

#### JULY

3-August I. Criminal Juntice Systems of the Western World. Presented by Wichita State University. For lurther details, contact: Charles E. Heilmann, Wichita State University, Box 25, Wichita, KS 67208.

5-8. The Sixth National Youth Workers Conference, Sponsored by The National Youth Work Alliance. To be held in Washington, DC. For further information. contact: Conference Stall, National Youth Work Alliance, 1346 Connecticut Avenue, N.W. Suita 508, Washington, DC 20036. Telephone: (202) 785-0764.

6.8. Stream Management for Police. Presented by Washington Crime Naws Services. To be held in Seattle, We. Fee: \$315. For further details, see: Juns 15-17.

7-8. Street Survival Seminar. Presented by Calibre Press. To be held in East Peoria, Ill. For further details, see: May 27-28.

11-15. Forty-lifth Annual Coaference, Presented by Tha National College of Juvenila Justice. To be held in Portland, OR. For further details, contact: National College of Juvenila Justice. P.O. Box 8978, University of Nevada, Reno, NV 89507. Teliphone: [702] 784-6012.

11-30. The Second Biennial AU School of Justice Institute on Juvenile Justice. To be held in London, England, Presented by Tha American University School of Justice For further information, contact: Dean Richard A. Myren, Director, Institute on Juvenile Justice in England and America, Tha American University, Washington, DC 20016 Telephone; (202) 686-2532.

12-16. Fourth Internal Alfairs Workshop. Sponsored by The Southwestern Legal Foundation. For further details, see: June 21-25.

12:23 Drug Investigntion Course. Presented by The Massachusetts Criminal Justice Training Council. For lutther details, see: June 3-4

14-15. Street Survival Seminar. Presented by Calibre Press. To be held in Johnston, 1A. For further details, see: May 27-28.

19. Revolver Familiarization And Requalification Course Presented by The Massachusetts Criminal Justice Training Council, For lurther details, see, June 3-1

19-21. Police Rangemaster Churse. Presented by Davis Clark & Associates. For further details, contact: Mr. Dale Hougland, Training Programs Coordinater, Davis Clark & Associates. P.O. Box 6524, Modesto, CA. 95355. Telephone (209) 577-5020.

24:25. Survival & Judgmental Shooting Techniques for Law Enforcement. Presented by Davis Clark & Associates For further details, see: July 19:21

25-29. Summer Camp Session. Martial Arts and Raoge Instructors. Workshop. Presented by Richard W. Kobets. & Associates. To be held in Winchester, Va. For further details, see: June 27-July 1.

## New book offers food for thought on human relations

Continued from Page 11

training beliefs. Coffey and company argue that the problem cannot be solved by working only with one side. The community must be educated as to its responsibilities, and consideration must be given to the community's problems, problems that the police are not responsible for and in many cases cannot solve.

There are no sure-fire answers to the police-community relations problem in this book, only the suggestion that each community-relations program should be tailored to the community involved. The authors have done a commendable job in explaining the problems from both the point of view of both the police and the community. The reader will leave this book with a better perspective of the problem.

If there is a fault in this book it is in the area of affirmative action and police hiring and promotion. The authors list equal employment opportunity guidelines in the appendix, but give the affirmative action hiring/promotion controversy little space in the text.

The recent consent decrees that many police departments have entered into with the U.S. Justice Department have resulted in the legitimization of quotas. These consent decrees have already resulted in an increase in station house conflict between black and white officers. Perhaps in the fourth edition the authors will have a chapter on how this affirmative action dilemma is affecting police-minority relations.

This book would not only be a fine primary text for a college course on police-community relations, but also could be incorporated into a police training curriculum.

KENNETH L. BOVASSO Omaha Police Division Omaha, Neb. U.S. POSTAGE PAID New York, N.Y. Permit No. 1302

Law Enforcement News 444 West 56th Street New York, New York 10019 John Jay College of Criminal Justice/CUNY

# Killing time and arrest rates

No matter how fast police respond to

See story, Page 1. Response Time project sorts out the minute details. that follows up on the results of the Kansas City the crime in the first place. An important new study if the public is dawdling about reporting a crime scene, it may not mean a thing

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